

the traveling public. They set an aggressive schedule for repairs, and they kept it.

The air traffic controllers, FAA employees, and contractors who responded to this crisis performed admirably and deserve our sincere thanks and appreciation. Under difficult circumstances, members of the National Air Traffic Controllers Association from throughout the Midwest rose to the challenge and kept the flying public safe. Within 4 days of the fire, O'Hare Airport regained its title as the busiest airport in the world.

I would like to say a special thank you to Toby Hauck, the Chicago Center NATCA Facility Representative; Gerry Waloszyk, the Chicago Center PASS facility Representative; Bill Cound, the Chicago Center Air Traffic Manager; Mike Paulsen, the Chicago Center Technical Operations Group Manager; and everyone else who worked to restore Chicago Center. Because of all of you, by October 13, repairs were completed, and Chicago Center returned to full capacity.

Mr. Speaker, important lessons have been learned, that the fire that crippled Chicago Center not only affected flights departing and arriving in the Midwest, but also those flying through Chicago's airspace to reach their destinations.

Between Friday and Sunday, more than 3,000 flights were canceled at O'Hare alone. The estimated cost to the airlines has been reported to be more than \$350 million in total. However, what made this crisis unique wasn't the number of delays or cancelled flights. It was that just one person was able to disrupt the travel plans of so many thousands of people.

The systems that protect the flying public must be made more robust. Although the fundamental redundancy had been built into the system—the ability for nearby radar systems to see into the Chicago airspace—the FAA must and is improving contingency plans to restore service much faster than it was able to do.

In the long term, the best way to ensure the safety and reliability of the National Airspace System is to facilitate the transition to the NextGen air traffic transportation system.

Mr. Speaker, currently, the ground-based radar system is the foundation of the National Airspace System. NextGen will rely on GPS satellites that are more accurate than ground-based radar. It will also include a transition from radio voice communications to a digital network that is similar to the mobile phone service. This transition to NextGen will enable air traffic controllers to reestablish air traffic control services much more quickly after this type of disaster.

Mr. Speaker, I urge my colleagues to join me in commending the FAA's response team on a job well done and to support the President's request for full funding for implementing NextGen in the 114th Congress.

THE OPEN ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise today to talk about the 30 million Americans who suffer from a rare disease. One in ten, Mr. Speaker, 10 percent of the country suffers from a rare disease.

Over 95 percent of these diseases have no treatments because each rare disease impacts a small number of patients. That is why I introduced the OPEN Act, the Orphan Product Extensions Now Accelerating Cures and Treatments.

My bill has the potential to help millions of people, and the idea was born from an event in my district. Over the summer, I held two 21st Century Cures roundtables in my district. The 21st Century Cures is a bipartisan initiative to examine and improve the discovery-development-delivery cycle.

Treatments for patients suffering from chronic and rare diseases, whether it is from medical devices or medicine, must be discovered on the ground level through basic science; developed into a practical, usable, and marketable product; and delivered to the patients so that the treatment may be effectively utilized.

Mr. Speaker, the first roundtable featured patients and patient advocates. From some of those patients, I heard about the importance of repurposing drugs. This led to the introduction of the OPEN Act. My bill will leverage the free market to incentivize drugs to be repurposed to treat rare diseases and pediatric cancers.

Repurposing drugs has a twofold benefit. First, the OPEN Act has the potential to result in new treatments for individuals with rare diseases. As I mentioned, the vast majority of individuals suffering from rare diseases don't have treatments, let alone cures; yet I hear often about individuals with rare diseases who will take medication that has not been tested for their condition.

The OPEN Act incentivizes the testing of mainstream drugs on rare diseases. This bill opens the door for new treatments. The OPEN Act can also create a new surge in biotechnology jobs and investments. Creating jobs and helping the sick are laudable goals, Mr. Speaker. My bill takes a step toward accomplishing that.

This bill can help millions of people. It will ensure repurposed medications are safe and effective for rare conditions and can be reimbursed through insurance coverage—so important. This is a bipartisan piece of legislation which I introduced with my colleagues, Mr. BUTTERFIELD, Mr. MCCAUL, and Mr. HASTINGS.

Helping those with rare diseases is a cause worth supporting, and I am proud to have introduced the OPEN Act.

AMERICA'S BRIGHT ECONOMIC FUTURE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today to take note of the historic gains our economy made last month. With the recent addition of 314,000 new jobs, unemployment under 6 percent, and the best single-year job creation since the 1990s, our economic future looks bright, but we still have work to create a better economic future for American families.

I recently held my second annual hiring event where 400 jobseekers met with 75 employers looking to hire. I also hosted five job search boot camps where we taught jobseekers interview skills, how to prepare a resume, and strategies to successfully navigate hiring events.

My district is home to many innovative centers that will serve as engines in driving America's economy. I recently visited job training facilities like the Kankakee Area Career Center and the Canadian National job training center which are preparing people for careers in trades and transportation.

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With centers like these and workers like the ones we have in Illinois, I am optimistic about America's continued economic recovery. I look forward to working with my colleagues to continue growing jobs here at home.

Lastly, I want to acknowledge two women. The first we have heard about already, the gentlewoman from Ohio (Ms. FUDGE), the great leader of the CBC. MARCIA has taken the CBC to another level. Also, MARCIA has taken a special election freshman like me and helped me make it through my first session.

MARCIA, I want to thank you for the faith you have in me for asking me to become the next CBC Health Care Brain Trust chair. I thank you and I salute you. The CBC is not only fortunate to have you, the Deltas are, the Links are, Congress is, and the great State of Ohio. Thank you so much.

Lastly, like my colleague Representative RODNEY DAVIS, I want to acknowledge the passing of Illinois' comptroller, Judy Baar Topinka. Judy was a true public servant who combined service and fun. She definitely made her mark in Illinois serving as the first female treasurer, the head of the Republican Party, and then as comptroller. Judy had a special way of relating with all people. My thoughts and prayers are with Judy's family, friends, and staff.

THE CONSTITUTIONAL CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the constitutional issues involving the

President's executive orders on amnesty far transcend the issue of illegal immigration. The President's action strikes at the very heart of our separation of powers. The Constitution reserves to Congress alone the power to enact and alter law, and it charges the President with the responsibility to faithfully execute those laws.

If the President can seize legislative power in this manner and then boast to an audience that he, himself, has changed the law, then the separation of powers becomes meaningless, and our constitutional Republic will have crossed a very bright line that separates a nation of laws from the unhappy societies where rulers boast that the "law is in their mouths."

If this precedent stands, every succeeding President, Republican and Democrat, will cite it as authority to make or alter law by decree. This cannot be allowed to happen.

The question occurs: What can the House do?

Well, it took its first step last week by passing H.R. 5759 that declares the President's action unconstitutional and null and void. This was a symbolic act since the bill is subject to Presidential veto, but it was a warning that the President should have heeded. Obviously, he has not.

What else can the Congress do?

One of the fundamental checks held by Congress is the power of appropriation. It can close the purse by forbidding the use of Federal funds to proceed with this unconstitutional act.

I realize that is a very difficult thing to do with a dysfunctional Senate, but a temporary funding measure into January or February would protect us against the prospect of a government shutdown while we try to engage the Senate to rise in defense of the Constitution. And if the Democratic Senate will not defend our Constitution, and I am afraid that is a strong possibility, a few weeks from now the Republican Senate certainly will.

Why in the world would we want to lock in Federal spending through next September that reflects the priorities of the Democratic Senate that voters just thoroughly repudiated last month? Why in the world would we want to so greatly weaken our position to insist on the complete defunding of the President's unconstitutional act in the next congressional session just 3 weeks hence?

Meanwhile, it is imperative that the House take every action available to engage the Supreme Court to resolve this constitutional crisis. Several States have already filed suit, and the House needs to join them. In addition, the House needs to vote as an institution to challenge this act directly. This is too important to be treated as an afterthought on current litigation over *ObamaCare*. It needs to be voted on separately, unequivocally, and now.

Since the earliest days of our Republic, the Supreme Court has invalidated legislative acts that conflicted with

the Constitution. Now it must be called upon to invalidate an executive act that strikes at the very core of our Constitution. Regardless of the ideologies of individual Justices, I cannot believe that any of them would sit idly by as the Executive seizes such fundamental powers from the legislative branch.

On behalf of the House, the Speaker announced last month that we would fight this act tooth and nail. To adjourn tomorrow, having taken only a symbolic vote, while abandoning our actual powers to challenge this act undermines the credibility of the House majority.

Elements on the extreme left argue that this act was justified due to congressional inaction over immigration reform. They fault the House for not adopting a Senate immigration measure, but they forget the House passed a strong immigration bill this summer and the Senate refused to consider it.

Since when has congressional disagreement over legislation been license for the President to legislate himself? This argument abandons the Constitution and the rule of law for the expediency of one-man rule. We should recognize such arguments for what they are: the authoritarianism of the extreme left. We should reject these arguments and those who make them.

Mr. Speaker, the Roman Republic died when Julius Caesar seized the legislative authority of the Roman Senate. Repeated acts of usurpation went unchallenged until the constitutional structure of the Republic simply disintegrated.

Let that not be the epitaph of the American Republic. Of this crisis, let history record that men and women of good will on both sides of the aisle joined together to defend the Constitution that they swore to uphold, and that this generation passed that Constitution and all of the freedoms it has preserved, intact and inviolate, to the many generations of Americans who followed.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I stand here this morning as a proud American and proud of this Republic which elected the first African American President 6 years ago, and reelected him 2 years ago by an overwhelming vote.

I rise today to celebrate my outstanding colleague and dear friend, Representative MARCIA FUDGE, on the completion of her term as the 23rd chair of the Congressional Black Caucus.

I have had the honor and privilege of working along with Representative FUDGE on the Science, Space, and Technology Committee when she first

was elected to the House of Representatives in 2008. Since that time, I have watched her thrive as a fearless leader on Capitol Hill, not only for her constituents of Ohio's 11th District, but for African Americans and other underrepresented citizens all over the country and internationally. As chair of the Congressional Black Caucus, Representative FUDGE is only the seventh woman to serve in this capacity, and she has been groundbreaking in her fight to tackle difficult issues facing underrepresented communities of color during her 2-year term as chair.

Mr. Speaker, under Representative FUDGE's leadership, the Congressional Black Caucus has continued to be the conscience of Congress, working tirelessly to steer good policy to the forefront. Over these past 2 years, Representative FUDGE, in her role as chair, has faithfully represented the underrepresented voices as they pertain to job creation, education, health care, national security, and a host of other pressing issues. Her intricate policy knowledge, political savvy, and ability to build coalitions have been of tremendous value to the Congressional Black Caucus and to the Nation.

I can speak on behalf of all of my colleagues—and you have just witnessed them here present in the Chamber—in saying that we will sorely miss her leadership, and we thank her for her service as chair. I am confident that Ms. FUDGE will continue to serve selflessly and devote her time and talents to the CBC and its goals, and I look forward to continuing our important work together because it is far from being over.

RELATIONSHIP BETWEEN POLICE DEPARTMENTS AND COMMUNITIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, let me just thank my colleagues. Certainly, it has been a high honor to serve as chair of the Congressional Black Caucus, and I will express that later on today at our meeting.

Mr. Speaker, I rise today to address the recent tragedies that have occurred in my hometown of Cleveland, Ohio, but also the positive change that can come out of these tragedies.

In November 2012, Malissa Williams and Timothy Russell lost their lives following a high-speed chase involving more than 60 police vehicles. Cleveland police officers fired 137 rounds into their vehicle. The pair were unarmed.

I immediately wrote to the Department of Justice seeking an independent review and investigation surrounding the circumstances that led to this use of deadly force by law enforcement.

Following the death of Michael Brown and the unrest that followed, I again wrote to the Department of Justice in August 2014 asking for action. While waiting on the results of the Department of Justice investigation,